



April 29, 2021

Via ECF and Email

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Via ECF

Hon. Kenneth M. Karas, USDJ
300 Quarropas St., Chambers 533
White Plains, NY 10601-4150

Re: *The ProImmune Co., LLC v. Holista Colltech Ltd., et al.* [7:20-cv-1247 (KMK)] –
Joint Pre-Motion Conference Request for Motions for Summary Judgment

Your Honor:

The parties Plaintiff/Counterclaim Defendant The ProImmune Company, LLC (“ProImmune”) and Defendant/Counterclaim-Plaintiff Holista Colltech Ltd. (“Holista”) submit the following joint request for the Court to set a briefing schedule on cross-motions for summary judgment. The parties do not believe a pre-motion conference is necessary, but to the extent the Court would prefer the parties submit pre-motion conference requests setting forth their positions on summary judgment and attend a pre-motion conference with the Court, the parties will do so. Counsel for ProImmune has conferred with counsel for Holista and Holista joins this letter submitted by ProImmune.

As the Court is well aware, “[u]nder Rule 56(c), summary judgment is proper ‘if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.’ Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986). The parties believe summary judgment will resolve the claims at issue.

BROWN, NERI, SMITH & KHAN LLP

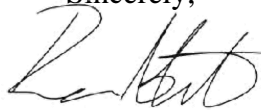
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The parties propose the Court set a briefing schedule for cross-motions for summary judgment as follows:

- Moving papers and evidence – Due May 31, 2021
- Opposition papers and evidence – Due June 30, 2021
- Reply papers and evidence – Due July 15, 2021
- Hearing date: As set by the Court.

To the extent these dates conflict with the Court's schedule, the Parties request the Court set dates similar to those proposed.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Abbott", written over a horizontal line.

Ryan B. Abbott
of BROWN, NERI, SMITH & KHAN LLP